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DECLARATION OF RIGHTS,

AND

An Address to the People.

Approved of by a number of the Friends of Reform
in Paisley.

1793

It is no injury to the Community that each
Individual enjoy his Right.

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DECLARATION OF RIGHTS

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An Address to the People

Approved of by a number of the People of the State

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DECLARATION OF RIGHTS.

I. THE Government of this realm, and the making of laws for the same, ought to be lodged in the hands of King, Lords of Parliament, and the representatives of *the whole body* of the free men of this realm.

II. Every Briton (infants, insane persons, and criminals only excepted) is of common right, and by the laws of God, a *free man*, and intitled to the full enjoyment of *liberty*.

III. A Briton's liberty, or freedom, consists in having an *actual share*, either in legislation itself, or in the *appointing* of those who are to frame the laws; which, although they ought to protect him in the full enjoyment of those absolute rights, that are vested in him by the immutable laws of nature, may yet be fabricated to the destruction of his person, his property, his religious freedom, family, and fame.

IV. It is the right of the commons of Britain to *elect* a new house of parliament once at least in *every year*: because, when a parliament continues for a longer term than *one Session*, thousands, who have attained to man's estate since it was elected, and are therefore entitled to enter into possession of their best inheritance, the actual exercise of their elective franchise, are, in that case, unjustly *denied their right*, and *excluded from freedom*.

AN ADDRESS, &c.

FRIENDS AND COUNTRYMEN,

PERMIT us, with the affection and anxiety, that Citizens ought to feel for their country, to submit to your consideration some reasons, why, in our humble opinion, the reform of parliament, now in agitation, ought not to be regarded by you with indifference.

1. Being subject to the legislation of persons whom *other men have placed over you*, it is evident you are denied that which is the right of every one, and without which none are *free*. For to be *enslaved* is to have no *will* of your own in the choice of those law-makers which have power over your *properties*, your *families*, your *lives*, and *liberties*. Those who have no votes for electing representatives are not free as the rights of nature, and the principles of our constitution require, but are enslaved to the representatives of those who have votes. For it is evident that beyond the limits of *election*, there can be no *representation* whatever. And where there is no representation, there is no constitutional power of *Taxation* or *legislation*. Who ever heard that the Attorney of *John* shall dispose of the property of *Thomas*, because *John* and *Thomas* happen to reside in the same Town or County? Or who now admits that men chosen by *Henry* and *Edward* only, shall have power over the *life* and *liberty* of *William* and *George*?

2. Being very deeply interested in trade, not only at home, but in all parts of the world, you ought to have in Parliament deputies well inform-

ed on the subject of commerce in all its branches; but more particularly acquainted with that which you in an especial manner commit to their guardianship as your immediate representatives. It is not otherwise possible that your interests should be properly attended to.

3. Should you not associate in your own cause, and with one voice, the voice of united millions, demand a reform in the national *representation*, there is reason to fear it will be but imperfectly amended. And if the amendment fall any thing short of making Parliament *independent* of the Crown, perhaps the only difference we may find, may be, that it may henceforth cost the nation more to purchase majorities for the minister, than it has hitherto done; for, if corruption, instead of being made impossible, be only rendered *somewhat more troublesome*, the additional trouble as well as the additional value of votes must be paid for.

4. It is a truth known to you all, that a country which once loses its liberty, must shortly lose its trade also. Thus, on commercial principles themselves, you are bound to contribute your share towards the reform of parliament, altho' it should be attended with some cost and labour. The fruits of your industry will prove to your children but a poor inheritance, if not accompanied with freedom.

5. So long as a *majority* of the House of Com-

|| You ought not to be discouraged should your first endeavours be attended with but little success, for it is hardly to be expected ministerial profusion will be checked under ministerial influence. A Parliament of placemen and contractors are not likely to renounce the favour of the minister by whom they are so liberally rewarded, to gratify the people who expect to be served without fee: It is much to be feared that to such men our petitions may at first but furnish matter of contempt; their interest, as well as their inclinations will prompt them to disregard applications, the immediate object of which is to deprive them of emoluments, for which they have sacrificed their honour, their duty, and their conscience.

mons shall continue to be appointed by a number of borough electors, not exceeding *seven thousand*, as now is the case; so long will bribery govern borough elections, corruption be the characteristic of Parliament, and an oppressive taxation be the lot of the people†.

6. If the present inequality of representation and length of Parliaments, be the causes of parliamentary corruption, as they undoubtedly are, we must remove the causes before the effect will cease.

7. By a *corrupt* Parliament is meant, that which, instead of being a shield against unnecessary taxation; is the *hired instrument* whereby the nation is pillaged:—that which, instead of proving a check upon the crown, when disposed to engage in unnecessary and ruinous wars; is the *bribed tool* by which the nation is first gulled into an approbation of war, and afterwards drained of its blood and treasures to carry it on:—And again, uniform experience teaches us, that whenever Parliaments are under an undue influence from the Crown, they are ever ready to betray the sacred rights of the people. Suffice it at present to recal to your recollection a few instances only. In the reign of Henry VIII. Parliament enacted, that the King's proclamation should have the force of law; in the

† In England one hundred and thirty thousand Freeholders elect ninety two members for fifty two counties.

Forty-three thousand Citizens, freemen and others, elect fifty-two members for twenty-three cities and two universities. Forty one thousand electors choose three hundred and sixty nine members for one hundred and ninety-two towns and boroughs; fifty of these members are returned by three hundred and forty electors; and a number scarcely above Six thousand, being a majority of the voters of a hundred and twenty-nine of the Boroughs, return two hundred and fifty-seven representatives, which is a majority of the whole English house of Commons, and the efficient representation of above five millions of people. Scotland need hardly be mentioned, as there are only 45 to represent near three millions.

reign of William III. they made a precedent for suspending by statute the benefits of the *habeas corpus*; and it has since been several times practised; In the reign of Anne, by means of the statute, vulgarly called *the riot act*, all the constitutional means of giving support to the civil magistrate were supplanted in favour of the practice in calling out the *standing army*. That government, which cannot preserve its authority without *such* an instrument, deserves not the name of government; and that country, in which it is an ordinary practice to support the execution of its laws by a standing army, is not a free country. But the deadliest wounds that freedom ever received from Parliament, were those which have been given it by the disfranchising statute of Henry VI. the triennial act of William III. and the septennial act of George I. for, by the joint operation of those three statutes, the very foundations of the constitution are removed. Those statutes not only defraud the nation of six parts in seven, both of its election and its representation; but they have effectually vitiated the remaining seventh.

8. Parliaments chosen as they now are, and continuing for seven years as they now do, will ever be composed, for the most part, of a few factions, under the guidance of particular Noblemen, perpetually contending for the power and emoluments of office. The common soldiery of these several factions, like that of all other standing armies, is made up of mercenaries, from the most idle and profligate orders of the community. Who so idle, as men of pleasure and the vicious part of our nobility and gentry? Who so profligate, as murdering nabobs, and prostitute lawyers, and unprincipled adventurers, who through the iniquity of corrupt elections, make their way into parliament, and there let out their tongues and their votes for hire?

9. Parliaments chosen as they ought to be, that is, by the whole nation in just proportion; and continuing, as they ought to do, for one session only; must of course (as corruption without doors would then be *impossible*) consist of men most eminent for virtue and wisdom from every part of the kingdom. Every district, and every town, (freed from an undue influence by the *multitude* of its electors) would undoubtedly appoint for its parliamentary representative or attorney, the person best acquainted with its interests, and best qualified to promote them. These representatives, feeling that dependence on their employers which an annual election would insure, and carrying with them into Parliament characters of value, would be doubly guarded against falling into temptation; besides, their virtue would be farther secured, from this important consideration, that, as no Minister in his senses would esteem it practicable to bribe a *majority* of such a Parliament, it follows, that bribing *individuals*, could be of no use to him.

10. But such a Parliament cannot be had, unless we will revert to the first principles of our constitution, which we have so shamefully abandoned. A government where the executive and legislative power meet in a single person has no more pretence to freedom, it is perfect despotism, and the people who submit to it are in a state of *slavery*. If the will of the Prince *must* be *law*, in what manner it is announced, whether the mandate issue directly from the throne itself, or through the medium of the House of Commons is a matter of indifference. If that assembly is no longer the representative of the people, the constitution is *changed*. If those men who are said to represent us, are only the *registers* of the *royal edicts*, the government is degenerated into an *absolute monarchy*. Since electing a Parliament is our only security against an *arbitrary* pow-

et in the Crown; *election* itself must be not only the common right, but the common *duty* of all the people.

11. The only plausible objection which is held forth, in order to discourage the *manufacturing* towns, from demanding representation, namely, *the loss of time among the workmen that would be occasioned by elections*, is an idle bugbear.

12. All idleness and vice of modern elections in this country, are the consequence of that very inequality of representation, and that long duration of Parliament, of which we complain. While all but the *villains* of former times, that is, while all *free subjects* had their votes, and Parliaments were chosen sometimes twice and sometimes thrice in a year, tumult and debauchery at elections were unknown; and there were not above *two or three* cases of false returns or disputed elections, in the course of *two hundred and seventeen years*, as stands proved by authentic records in the Tower. In a *single Parliament* of the present reign, the trials upon contested elections fill *five large volumes*; and the profligacy so frequently attending the choice of members, is a reproach to our age and nation.—Is it not time then, to restore a *representation of all*, and *Parliaments of a single session*; since they alone can insure us peaceable and virtuous elections.

13. Prevent the temptation to the evil you dread, and the evil itself will be prevented. This is a law of nature. If parish-officers, if common councilmen of London and mayors of corporations, if committees for all sorts of business, if, in short, deputies of any other description, can be annually or more frequently elected without any evil consequences, is it not an insult to our common sense, to tell us, that deputies for transacting our parliamentary business, may not be so elected also?—

Prevent, we say, the *temptation* to the evil you dread, and the evil itself will be prevented. The temptation to the candidate—is the hopes of a place, a title, or what else he can get from the minister; the temptation to the borough elector—is the candidate's treat and his bribe.—As elections of ALL, and SESSIONAL Parliaments, would cut up by the roots this commerce of corruption; so they would insure you elections as peaceable and orderly, as your weekly meetings at Divine service, or in your markets. Thus, that glorious word ELECTION, which is not to be found in the dictionary of any enslaved nation, would be restored amongst us to its plain and honest signification; carrying with it no other idea than that, of a *free choice of freemen, for their own benefit and happiness.*

14. But if we cannot believe history, nor place confidence in records themselves; let us, at least, trust our own senses, and observe what is the conduct of our sober and sagacious brethren of America. If representation be of no use to a trading people, and if elections are nuisances, why have the industrious citizens of Philadelphia, Boston, and all America, secured to themselves, by their new constitution, an *equal representation* and *annual elections*, as the very essence of that constitution which they inherit in common with ourselves, and as that without which they knew they should not be a free people.

15. If you think to enjoy the benefits of representation through persons *chosen by other men*, and over whose dismissal you have no power, you much deceive yourselves. Supposing a merchant had not the choice of his own clerks, nor workmen, nor household servants, but they were to be appointed for him by the excisemen, or by some neighbouring Lord who had an interest in so doing; and if, when so appointed, he could not get rid of them

in less than seven years, let their idleness, extravagance, and dishonesty be ever so glaring, and their insolence ever so insufferable, does it need the spirit of prophesy to foretel, that his name would soon be in the Gazette, proclaiming him a ruined and miserable man? And is not that great merchant the Nation, brought to the verge of bankruptcy by these very means?—A nation happy above others in the fertility of its soil, and the industry of its inhabitants; is nevertheless, by the means pointed out, nearly reduced to the condition of a bankrupt. In consequence of losing, through supineness, the appointment of its own clerks, workmen, and servants, or in other words, its own Parliament, it is now indebted *millions of money*, and not only its lands, but *its future industry* is deeply mortgaged for payment of the interest; whereas, had it constantly asserted its rights, it needed not at this day to have owed a shilling.

16. As the interest of these millions is just so much to be deducted from the profits of the national industry, and as nations less taxed may consequently under-sell us at foreign markets, the manufacturing towns of this kingdom are peculiarly and eminently interested in restoring purity to Parliament. They ought also to recollect that, if it be neglected, an increase of debt, and consequently an increase of taxes must follow; for, so long as the *cause* of extravagance remains, the *effect* will not cease.

17. Although it is granted, that, if petty boroughs and septennial Parliaments were still to remain as they are, and the only alteration to be obtained, were a mere election of *two* members for each manufacturing town, the general advantage therefrom would be trifling, and the new elections might perhaps be inconvenient; yet, *there is not what is proposed*; nor would it be the consequence,

if those towns, containing an immense proportion of the whole nation, would properly exert themselves.

18. Take a sketch of such elections as are proposed. Let each county be divided into as many districts as it is intitled to elect representatives each district choosing one representative. The division of the county into districts should be constituted in such a manner, that each district contain nearly an equal number of males competent to vote in elections. In the country, none ought to be put to the trouble, expence, or loss of time, to go from their own parish to vote; but the election should be held in the parish church, and the parish elders take the poll. This would effectually prevent all tumult. In towns, where the whole number of electors for each district might inhabit one parish, there ought to be ten or twelve subdivisions of them, so that not more than three hundred at most should elect in one place: This would not only preserve peace, but insure the completion of the election in one forenoon: it would also so facilitate the attendance, that no manufacturer or mechanic need lose an hour's labour.

The Whole house of Commons ought to be annually elected on *one day*, and the elections in every country parish, and every town subdivision, to begin at *one and the same hour*.

Every man appearing at any poll, and making oath that he had not voted elsewhere on that day, should be permitted to vote. This would provide for an universal representation of the people, and do away every possible cause of dispute about *qualifications*, from which alone proceed nine hundred and ninety nine election trials in a thousand. If now and then a person of one town should vote at another where he then happened to be, it could be of no ill consequence; and if even a foreigner give his vote, where would be the disadvantage?

And we should remember, that so long as he resides in this country he is subject to its laws. It would be time enough to depart from this liberal and manly simplicity, when any abuses should be experienced; but where there is *no temptation* to do mischief, it is seldom done; especially in the face of the world.

19. A moment's reflection will convince any candid man, that in such elections annually repeated there could be no such thing as bribery; and if a ballot were added, all undue influence of wealth or authority would be effectually guarded against. Bribery and threats out of the question, who could have an interest or temptation to promote any licentiousness? It has already been shewn also, that in Parliaments so elected, and so dependent on the esteem and confidence, and power of the people, it would be as impossible to a minister to obtain support *by corruption*, as now it is impossible to find support *without corruption*.

20. But a minister, it is said, cannot carry on the business of the nation without *a majority*. This is held to be an axiom in politics. And so it is. No maxim is more true. But it is equally true, that, in Parliaments chosen as our's now are, that majority must be had by means of *faction and bribery*; in a reformed Parliament, it must be gained by *the rectitude of measures alone*.

21. A reformation of Parliament would produce a total revolution in the condition of the minister. —Instead of continuing to be an haughty Lord and Master of the nation, he would instantly become its servant; as the word *minister* imports. Instead of having through a corrupt majority the purse of the whole nation at his mercy, he would find that it would not yield him an extravagant or an unnecessary shilling. —Instead of creating jobs, offices and contracts, and squandering millions of the public

treasure to gratify himself, his connections, his creatures, and dependents, besides the enormous bribery within the walls of Parliament; he must correct every wasteful expenditure, and transfuse a spirit of oeconomy through every department of the State.—Instead of being in a condition to make inroads on the liberties of the people, or to make any thing law, by which he could ingratiate himself with royalty, or strengthen his own hands against every opposition to his will; he must be content to act *within his own sphere*, which is to execute the laws made by the concentrated wisdom of the nation in Parliament assembled.

22. A *minister* and a *legislature* are distinct appointments; and, as it is a fundamental principle of the constitution, that the legislative and executive branches of our government should be *separate*, and the latter *subordinate*; no minister, nor other servant of the Crown whatever, ought so much as to have a single vote in Parliament. Ministers of certain descriptions in each department might have *seats*, and to give their constant *attendance*, with the freedom of *speech*; for the purposes of *information*, and in order to *propose* such laws as appeared to them to be wanting to the good government of the country: but, for ministers and placemen, and military officers, all holding valuable emoluments at *the will of the crown*, to have *votes* amongst the representatives of *the people*, is a solecism in politics of the grossest absurdity, and worse even than that for bribed jurors to sit on a jury; because a jury belongs equally to *both* parties at issue, whereas the House of Commons ought to be a jury *for the people only*, in which the Crown ought not to have one particle of influence.

23. The object of THE DUKE OF RICHMOND bill, was to establish precisely such a representation and such elections, and consequently to bestow up-

on us such Parliaments, as are here described. The people's right to Parliaments of one year was uniformly asserted in the written law of the land, from the remotest antiquity down to the reign of *Charles the First*. Not a single disadvantage to liberty from the shortness of *sessional* Parliaments was ever recorded in history. But the evils of long Parliaments—are they not written in *tears*, and in *blood*? And have they left us aught of liberty, but the *name*? With the poor exception then, of one year of freedom in *seven*, and that in favour of not *one seventh* part of the nation, it is demonstrated that you are *constantly taxed, without being represented, and compelled to obey laws, to which you never gave assent*. Are not these the very definitions of slavery? And are you not thus degraded to a level with the very *cattle* in the field, and the *sheep* in the fold, which are a property to those who rule over them, and *have no power to say*, Why are we bought and sold? Why are we yoked and laden with heavy *burdens*? Why are we *fleece*d and led to the slaughter?

Demand then, with one voice, friends and countrymen, that share in making your own laws, to which, by the constitution and the laws of nature, you are entitled†. Call for the *Bill* which would restore your lost constitution, and recover your stolen

† The rich and poor being of the same species, are under the same laws of nature, and being alike capable of benefit, or injury from their legislators, they necessarily have, in the election of those legislators, the same rights. But the rich, in defence of their liberty and property have every advantage which wealth, learning, and the purchased services of others can afford them; while the poor, destitute of all these, have no security but in the purity of legislation, nor any means of self defence, but in retaining their share of the elective power.

The poor then, have an equal right, but more need, to elect representatives than the rich. He that is free, possesses that which, is more to be valued than riches: but, robbed of liberty, he is poor indeed!

rights! Pursue the only course which can ever affect any considerable reduction of debts and taxes, or materially advance the interests of manufactures and commerce! — In short, be free, prosperous and happy! and give your posterity the same cause to rever *your* memories, as you have to bless *those* progenitors who left you an inheritance in a free constitution!

F I N I S.